

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Marcus Angelo Caples-Guerra,

Civ. No. 21-1105 (PAM/ECW)

Petitioner,

v.

ORDER

State of Minnesota and County of
Ramsey,

Respondents.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge Elizabeth Cowan Wright dated May 10, 2021. The R&R recommends that Petitioner Marcus Angelo Caples-Guerra's Petition for habeas-corpus relief be denied and no certificate of appealability be granted. Petitioner did not file any objections to the R&R, and the time to do so has passed. D. Minn. L.R. 72.2(b)(1).

This Court must review de novo any portion of an R&R to which specific objections are made, but in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge's reasoning.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R (Docket No. 3) is **ADOPTED**;
2. The Petition (Docket No. 1) is **DENIED**;
3. This action is **DISMISSED without prejudice**; and
4. No Certificate of Appealability will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Wednesday, June 9, 2021

s/Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge